

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Roads and Buildings Department - Disciplinary proceedings initiated against Sri B.Manikyam, Executive Engineer (R&B) (Retd.) for his failure to terminate the leasehold rights for collection of Toll Gate fee as per lease agreement conditions – Further action dropped – Orders - Issued.

TRANSPORT, ROADS & BUILDINGS (VIG.) DEPARTMENT

G.O. Rt.45

Dated:20. 01.2015

Read the following:

- 1) G.O.Ms.No.137,TR&B(S.I.2) Department dt:12.08.03 read with G.O.Rt.No.886, T,R&B(S.I.2) Department dt:12.08.03
- 2) GO.Ms.No.354,TR&B(Vig 1.1) Deptt., dt.11.12.2008.
- 3) Orders of APAT dt.05.09.2006 in O.A.No.5623/2006.
- 4) GO.Ms.No.28, TR&B(Vig.I.1)Deptt., dt.23.01.2009.
- 5) Govt.Memo.No.7577/ TR&B/Vig.I.1/2003-13,dt.29.10.2009
- 6) Orders of APAT dt.18.09.2012 in O.A.No.12668/2009
- 7) From ENC(R&B)Admn., Lr.No.4378/VC(6)/2003, dt.31.05.2014, along with representation of B.Manikyam E.E(R&B) (Retd.) dt.10.10.2014.

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ORDER:

Charges were issued, vide reference first read above, against Sri. B. Manikyam the then Executive Engineer (R&B) NH, Nellore (Retd,30.06.2000), as he failed to terminate the lease hold rights for collection of Toll Gate Fee at the bridges in Km.48.2, 48/5 and 110/6 of Madras-Vijayawada Section, N.H.5, though lessee failed to pay the installment amounts, as per lease agreement conditions.

2. On the above said charges, after following the prescribed procedure, a punishment of withholding of Entire Pension and Gratuity in full was imposed against him, vide reference second read above.

3. Thereafter, and based on orders dt.05.09.2006 of Andhra Pradesh Administrative Tribunal in O.A.NO.5623/2006, filed by the above said Executive Engineer, punishment rescinded orders were issued, vide reference 4th read above.

4. Based on the above said orders of Andhra Pradesh Administrative Tribunal, Sri B.Manikyam Executive Engineer (R&B) (Retd) was requested, vide reference 5th read above, to furnish his written statement of defence. Aggrieved by this, the Charged Officer filed another OA.No.12668/2009 in Hon'ble Andhra Pradesh Administrative Tribunal, which, in its orders dt.18.09.2012, vide reference 6th read above, directed that, the respondents are at liberty to pass final orders, according to rules.

5. On this, Engineer-in-Chief (R&B) Administration has furnished, in the reference 7th read above, his remarks, on the written statement defence of the Charged Officer, stating that Sri B.Manikyam the then (EE) (R&B) N.H. Nellore (Retd on 30.06.2000) could not terminate the lease agreement, in view of the stay orders dt:30.12.1999 of the Civil Court in O.S.No.43/99, which orders were in force till 21.07.03; and, in the meantime, the Charged Officer, Sri B.Manikyam was retired on 30.06.2000.

(P.T.O)

6. Government, after examination of the matter, decide and hereby drop further action against Sri B.Manikyam the then Executive Engineer (R&B) NH, Nellore (retired 30.06.2000), in respect of alleged failure to terminate the leasehold rights for collection of Toll Gate fee at the bridges in Km.48.2, 48/5 and 110/6 of Madras - Vijayawada Section, N.H.5, as per lease agreement conditions.

7. The Engineer-in-Chief (R&B) Administration Hyderabad shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. SAMBOB
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri B.Manikyam, Executive Engineer (R&B) (Retired)

through Engineer-in-Chief (R&B) Administration, Andhra Pradesh,
Hyderabad

The Engineer-in-Chief (R&B) Administration, Andhra Pradesh,
Hyderabad.

Copy to:

The Accountant General, Andhra Pradesh, Hyderabad.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance
Commission, Hyderabad.

SF/SC

// FORWARDED BY ORDER //

SECTION OFFICER

